

December 11, 2018

The Honorable Ajit Pai, Chairman
The Honorable Michael O'Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel, Commissioner

Chairman
Federal Communications Commission
455 12th Street, Southwest
Washington, DC, 20544

Dear Chairman Pai,

As elected officials in Vermont's Bennington County, we write in opposition to the FCC's proposed rulemaking in MB Docket 05-311 as it relates to *Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992*. We support the comments already submitted by Catamount Access Television (CAT-TV) and the Cable Act Preservation Alliance (CAPA) which strongly oppose the proposals and tentative conclusions set forth by the FCC.

We represent small towns and villages in the southwest corner of Vermont. We have one of the largest populations of elderly in the state. Our region is rural and far from major media centers. In fact, the closest television news market is an hour away and located across state lines in New York. Our constituents are unable to rely on those sources for news and information that is relevant and/or pertinent to our communities.

Our residents must rely on our local PEG Access Community Media Centers to provide relatable local news, information and coverage of community events. CAT-TV serves as the PEG Access Center in the towns of Bennington, North Bennington, Woodford, Pownal and Shaftsbury here in Bennington County. Like the other 25 PEG facilities in Vermont, CAT-TV is a not-for-profit organization which provides our citizens' access to programming and services that are otherwise unavailable.

These stations are primarily funded through the Franchise Fees collected by the cable operators from their subscribers. We are concerned that the proposed rulemaking contained in MB Docket 05-311 would put the funding of CAT-TV, and other PEG facilities, in jeopardy. By allowing cable providers to assess value to "in-kind" services and charge that against the Franchise Fees, we believe there will be a drastic decline or complete elimination of funding for CAT-TV and PEG operations in Vermont. We feel this goes against the provisions in the 1984 Cable Act and will have far reaching negative effects on the communities we serve.

CAT-TV's mission and services continue to be critical to our community and the Franchise Fees are fundamental in enabling them to fulfill significant community needs in our small towns. CAT-TV provides citizens access to technology and channel space allowing them to have their voices heard, they cover town and school board meetings opening the door to democracy and

civic engagement, they air local programming including community events and weekly church services and they offer educational programs within our schools teaching students production and storytelling. Last year alone, CAT-TV aired over 2,000 programs on its channels, facilitated production of more than 800 local shows and had over 200,000 minutes of programs viewed on their online platforms.

We wholeheartedly disagree with the FCC's assertion that Franchise Fees only benefit the local franchising authority. As a matter of fact, our communities would be forever changed and negatively impacted without these fees to support PEG services. By defining "franchise fee" in an overly broad fashion to include "in-kind" support, the FCC's proposals will shift the fair balance between cable franchising authorities and cable operators and will force communities to choose between franchise fees and PEG channels – something that was never the intent of the Cable Act.

This rule making proposal will pose a direct and immediate threat to the vibrancy of our communities. It will also negatively affect our elderly, disabled and shut-ins who are the most vulnerable of our community and who rely on CAT-TV to remain connected and engaged. We urge the Commission in the strongest terms to reject the proposed rulemaking and maintain protection of PEG Access in our community and others.

Sincerely,

Sen. Richard Sears
Bennington District

***(Elect)* Rep. Jim Carroll**
Bennington District 2-2

Sen. Brian Campion
Bennington District

Rep. Alice Miller
Bennington District 3

Rep. Bill Botzow
Bennington District 1

***(Elect)* Rep. David Durfee**
Bennington District 3

***(Elect)* Rep. Nelson Brownell**
Bennington District 1

Rep. Timothy Corcoran
Bennington District 2-1

***(Elect)* Rep. Chris Bates**
Bennington District 2-1

Rep. Mary Morrissey
Bennington District 2-2